UNITED STATES PATENT AND TRADEMARK OFFICE

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| 10/565,663 | 01/23/2006 | Franciscus L. A. J. Kamperman | NL 030926 | 2420 |

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| EXAMINER |
|---|
| KEEHN, RICHARD G |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| | 10/565,663 | KAMPERMAN ET AL. |
| **Office Action Summary** | Examiner | Art Unit | |
| | Richard G. Keehn | 2456 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _03 December 2008_.

2a)☐ This action is **FINAL**.  2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1,3-12 and 14-23_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,3-12 and 14-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All  b)☐ Some * c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

**Claims 1, 3-12 and 14-23 have been examined and are pending.**

**This Office action is Non-final.**

### Response to Arguments

*1.*      Applicant's arguments, see 13, filed 12/03/2008, with respect to requesting a
second non-final office action have been fully considered and are persuasive.  Examiner
missed the preliminarily amended claims and did not examine Claims 3-11 and 14-23
based on multiple dependencies that existed in the originally submitted set of claims.
Claims 3-11 and 14-23 were not examined on the merit as a result, hence this office
action shall be non-final.

*2.*      Applicant's arguments, see Page 13, filed 12/03/2008, with respect to the
rejection of Claim 13 under 35 U.S.C. 112 have been fully considered and are
persuasive.  Claim 13 has been cancelled. The rejection of Claim 13 has been
withdrawn.

*3.*      Applicant's arguments with respect to the prior art rejection of Claims 1, 2, 12 and
13 have been considered but are moot in view of the new ground(s) of rejection.


### Claim Objections

*4.*      Claims 1, 12, 15 and 21 are objected to because of the following informalities:
grammar and punctuation.  Appropriate correction is required.

*5.*      Claim 1 recites "that is authorized". (Plurality)

*6.*      Claim 12 recites "(C1, C2, ..., CN2) )". (Double punctuation)

*7.*      Claim 15 recites "bound to the Authorized Domain (AD)" in two places. Examiner

assumes Applicant means "*which is* bound to the Authorized Domain (AD)." (Sentence

fragment)

*8.*      Claim 21 recites "comprises an decryption key". (Grammar)


### *Claim Rejections - 35 USC § 112*

*9.*      The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

*10.*    Claims 3, 6, 8, 9, 11, 14, 17, 19, 20 and 22 are rejected under 35 U.S.C. 112,

second paragraph, as being indefinite for failing to particularly point out and distinctly

claim the subject matter which applicant regards as the invention.

*11.*    Claim 3 recites the limitation "the domain" at the end of the last limitation.  There

is insufficient antecedent basis for this limitation in the claim.

*12.*    Claim 6 recites the limitation "the User Right (URC)" in the second line.  There is

insufficient antecedent basis for this limitation in the claim.

*13.*    Claim 6 recites the limitation "the Doamin Rights (DRC)" in the second line.

There is insufficient antecedent basis for this limitation in the claim.

*14.*    Claim 8 recites the limitation "the Domain Devices List (DDC)" in the fifth line.

There is insufficient antecedent basis for this limitation in the claim.

*15.*    Claim 8 recites the limitation "the Domain User List (DUC)" in the ninth line.

There is insufficient antecedent basis for this limitation in the claim.

**16.**     Claim 9 recites the limitation "the User Right (URC)" in the third line.  There is insufficient antecedent basis for this limitation in the claim.

**17.**     Claim 9 recites the limitation "the right to access" in the fourth line.  There is insufficient antecedent basis for this limitation in the claim.

**18.**     Claim 11 recites the limitation "the User Right" in the sixth line.  There is insufficient antecedent basis for this limitation in the claim.

**19.**     Claim 11 recites the limitation "the Device Right" in the eighth line.  There is insufficient antecedent basis for this limitation in the claim.

**20.**     Claim 11 recites the limitation "the Domain Rights" in the tenth line.  There is insufficient antecedent basis for this limitation in the claim.

**21.**     Claim 14 recites the limitation "the domain" at the end of the last limitation. There is insufficient antecedent basis for this limitation in the claim.

**22.**     Regarding claim 14, the phrase "is adapted to" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.  See MPEP § 2173.05(d).

**23.**     Claim 17 recites the limitation "the User Right (URC)" in the second line.  There is insufficient antecedent basis for this limitation in the claim.

**24.**     Claim 17 recites the limitation "the Domain Rights (DRC)" in the second line. There is insufficient antecedent basis for this limitation in the claim.

**25.**     Claim 19 recites the limitation "the Domain Devices list (DDC)" in the sixth line. There is insufficient antecedent basis for this limitation in the claim.

**26.** Claim 20 recites the limitation "the User Right (URC)" in the third line. There is insufficient antecedent basis for this limitation in the claim.

**27.** Claim 20 recites the limitation "the right to access" in the fourth line. There is insufficient antecedent basis for this limitation in the claim.

**28.** Claim 22 recites the limitation "the User Right" in the seventh line. There is insufficient antecedent basis for this limitation in the claim.

**29.** Claim 22 recites the limitation "the Device Right" in the ninth line. There is insufficient antecedent basis for this limitation in the claim.

**30.** Claim 22 recites the limitation "the Domain Rights" in the eleventh line. There is insufficient antecedent basis for this limitation in the claim.

**31.** Claim 22 recites the limitation "the Domain Rights (DRC1, DRC2, ..., DRCN2) is implemented/included in a Domain Rights Certificate" in the last limitation. It is unclear whether Applicant intends "implemented/included" to represent "implemented or included", or "implemented and included." Examiner assumes the former.


### Claim Rejections - 35 USC § 102

**32.** The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**33.**    Claims 1, 3-12, and 14-23 are rejected under 35 U.S.C. 102(a) and (e) as being

anticipated by US 2003/0018491 A1 (Nakahara et al.).


As to Claims 1, 12 and 23, Nakahara et al. anticipate a method, a system for

generating an Authorized Domain (AD), and computer readable medium having stored

thereon instructions for causing one or more processing units to execute the method, of

generating an Authorized Domain (AD), comprises:

selecting a domain identifier (Domain_ID) uniquely identifying the Authorized

Domain (AD) (Nakahara et al. disclose the domain list – Pages 12-13, ¶ [0200]),

binding at least one user (P1, P2, ..., PN1) to the domain identifier (Domain_ID)

(Nakahara et al. disclose searcher X belonging to the domain – Page 13, ¶ [0200]),

binding at least one device (D1, D2, ..., DM) to the domain identifier (Domain_ID)

(Nakahara et al. disclose the function units belonging to the domain – Page 13, ¶

[0200]), and

binding at least one content item (C1, C2, ..., CN2) to the Authorized Domain

(AD) given by the domain identifier (Domain ID) (Nakahara et al. disclose the content

usage devices belonging to the domain – Page 13, ¶ [0200]),

thereby obtaining a number of devices (D1, D2, ..., DM) and a number of users

(P1, P2, ..., PN1) that is [*sic*] authorized to access content items (C1, C2, ..., CN2) of

said Authorized Domain (AD) (Nakahara et al. disclose the domain list {Domain ID}, at

least one user {user}, function units {devices}, and content usage devices {content

items}, and licensing {authorized} – Pages 12-13, ¶ [0200])

wherein access to the at least one content item (C1, C2, ..., CN2) is obtained by

verifying that the at least one content item (C1, C2, ..., CN2) and the at least one user

(P1, P2, ..., PN1) are linked to the same domain identifier (Domain_ID) or by verifying

that the at least one device (D1, D2, ..., DM) and the at least one content item (C1, C2,

..., CN2) ) are linked to the same domain identifier (Domain_ID) (Nakahara et al.

disclose granting or restricting access to content based on whether the user and content

domain licensing requirements are met – Page 12, ¶ [0197]).


As to Claims 3 and 14, Nakahara et al. anticipate a method and system

according to claims 1 and 12 respectively, wherein the binding at least one user (P1,

P2, ..., PN1) to the domain identifier (Domain_ID) comprises:

obtaining or generating a Domain Users List (DUC) comprising the domain

identifier (Domain_ID) and a unique identifier (Pers_ID1, Pers_ID2, ..., Pers_IDN1) for a

user (P1, P2, ..., PN1) thereby defining that the user is bound to the Authorized Domain

(AD) (Nakahara et al. disclose the domain list - ¶ [0200], which comprises the function

unit ID and user ID fields - Figure 3),

and/or in that

the binding at least one device (D1, D2, ..., DM) to the domain identifier

(Domain_ID) comprises:

obtaining or generating a Domain Devices List (DDC) comprising the domain identifier (Domain_ID) and a unique identifier (Dev.ID 1, Dev.ID2, ..., Dev.IDM) for a device (D1, D2, ..., DM) thereby defining that the device is bound to the domain (Nakahara et al. disclose the domail list - ¶ [0200], which comprises the function unit ID and user ID fields - Figure 3).

As to Claims 4 and 15, Nakahara et al. anticipate a method and system according to claims 1 and 12 respectively, wherein the binding at least one content item (C1, C2, ..., CN2) to the Authorized Domain (AD) comprises:

binding a content item (C1, C2, ..., CN2) to a User Right (URC1, URC2, ... URCN2), where said User Right (URC1, URC2, ... URCN2) is bound to a user (P1, P2, ..., PN1) bound to the Authorized Domain (AD), and/or

binding a content item (C1, C2, ..., CN2) to a Device Right (DevRC), where said Device Right (DevRC) is bound to a device (D1, D2, ..., DM) bound to the Authorized Domain (AD) (Nakahara et al. disclose the domain list {Domain ID}, at least one user {user}, function units {devices}, and content usage devices {content items}, and licensing {right to use} – Pages 12-13, ¶ [0200]).

As to Claims 5 and 16, Nakahara et al. anticipate a method and system according to claims 1 and 12 respectively, wherein the binding at least one content item (C1, C2, ..., CN2) to the Authorized Domain (AD) comprises:

binding a content item (C1, C2, ..., CN3) to a Domain Right (DRC1, DRC2, ...

DRCN2), where said Domain Right (DRC1, DRC2, ... DRCN2) is bound to the

Authorized Domain (AD) (Nakahara et al. disclose the domain, content usage devices

{content items}, and licensing {right to use} – Pages 12-13, ¶ [0200]).


As to Claims 6 and 17, Nakahara et al. anticipate a method and system

according to claims 4 and 15 respectively,

wherein the User Right (URC) or the Device Right (DevRC) or the Domain Rights

(DRC) comprises rights data (Rghts Dat) representing which rights exists in relation to

the at least one content item (C1, C2, ..., CN2) bound to the User Right (URC) or the

Device Right (DevRC) or the Domain Rights (DRC) (Nakahara et al. disclose the

domain list {Domain ID}, at least one user {user}, function units {devices}, and content

usage devices {content items}, and licenses tied to the user, domain, devices and

contents {right to use} – Pages 12-13, ¶ [0200]).


As to Claim 7 and 18, Nakahara et al. anticipate a method and system according

to claims 1 and 12 respectively, the method further comprises

controlling access to a given content item bound to the Authorized Domain (AD)

by a given device being operated by a given user, comprising:

checking if the given user is bound to the same Authorized Domain (AD) as the

given content item, or

checking if the given device is bound to the same Authorized Domain (AD) as the given content item (Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]),

and allowing access for the given user via the given device and/or other devices to the content item if the given user is bound to the same Authorized Domain (AD),

or allowing access for the given user and/or other users via the given device to the content item if the given device is part of the same Authorized Domain (AD) (Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]).

As to Claims 8 and 19, Nakahara et al. anticipate a method and system according to claims 1 and 12 respectively, the method further comprises controlling access to a given content item (C1, C2, ..., CN2), being bound to the Authorized Domain (AD) and having a unique content identifier (Cont ID), by a given device being operated by a given user comprising:

checking if the Domain Devices List (DDC) of the Authorized Domain (AD) comprises an identifier (Dev.ID) of the given device, thereby checking if the given device is bound to the same Authorized Domain (AD) as the content item, and/or

checking if the Domain User List (DUC) of the Authorized Domain (AD) comprises an identifier (Pers_ID) of the given user (P1, P2, ..., PN1) thereby checking if the given user is bound to the same Authorized Domain (AD) as the content item

(Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]),

and allowing access to the given content item (C1, C2, ..., CN2) by the given device (D1, D2, ..., DM) for any user if the given device is bound to the same Authorized Domain (AD) as the content item being accessed, and/or

allowing access to the given content item (C1, C2, ..., CN2) by any device including the given device for the given user if the given user is bound to the same Authorized Domain (AD) as the content item being accessed (Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]).


As to Claims 9 and 20, Nakahara et al. anticipate a method and system according to claim 7 and 18 respectively, wherein the controlling access of a given content item further comprises:

checking that the User Right (URC) for the given content item specifies that the given user (P1, P2, ..., PN1) has the right to access the given content item (C1, C2, ..., CN2) and only allowing access to the given content item (C 1, C2, ..., CN2) in the affirmative (Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]).

As to Claims 10 and 21, Nakahara et al. anticipate a method according to claims 1 and 12 respectively,

wherein every content item is encrypted and that a content right (CR) is bound to each content item and to a User Right (URC) or a Device Rights (DevRC) or a Domain Rights (DRC), and that the content right (CR) of a given content item comprises an [*sic*] decryption key for decrypting the given content item (Nakahara et al. disclose content encryption and decryption key - Page 3, ¶¶ [0048-0050]).

As to Claims 11 and 22, Nakahara et al. anticipate a method and system according to claims 3 and 14 respectively, wherein

the Domain Users List (DUC) is implemented as or included in a Domain Users Certificate, and/or

the Domain Devices List (DDC) is implemented as or included in a Domain Devices Certificate, and/or

the User Right (URC 1, URC2, ..., URCN2) is implemented as or included in a User Right Certificate, and/or

the Device Right (DevRC) is implemented as or included in a Device Right Certificate (***), and/or

the Domain Rights (DRC 1, DRC2, ..., DRCN2) is implemented/included in a Domain Rights Certificate (Nakahara et al. disclose license authentication included in a certificate - ¶¶ [0198] [0249-0251] [0258]).

### *Conclusion*

**34.**    The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. These include:

| | |
|---|---|
| US 2003/0076955 A1 | System and method for controlled copying and moving of content between devices and domains based on conditional encryption of content key depending on usage state |
| US 2002/0157002 A1 | System and method for secure and convenient management of digital electronic content |
| US 6,880,007 B1 | Domain manager and method of use |
| US 6,463,534 B1 | Secure wireless electronic-commerce system with wireless network domain |
| US 6,223,291 B1 | Secure wireless electronic-commerce system with digital product certificates and digital license certificates |
| US 7,194,543 B2 | System and method for creating and managing survivable, service hosting networks |
| US 2002/0062451 A1 | System and method of providing communication security |
| US 2004/0083306 A1 | Method and apparatus for maintaining internet domain name data |

| | |
|---|---|
| US 6,460,023 B1 | Software authorization system and method |
| US 2001/0039624 A1 | Processes systems and networks for secured information exchange using computer hardware |
| US 2002/0031230 A1 | Method and apparatus for a web-based application service model for security management |
| US 2002/0040439 A1 | Processes systems and networks for secure exchange of information and quality of service maintenance using computer hardware |
| US 2003/0177376 A1 | Framework for maintaining information security in computer networks |
| US 7,047,560 B2 | Credential authentication for mobile users |
| US 2004/0098615 A1 | Mapping from a single sign-in service to a directory service |
| US 2004/0088543 A1 | Selective cross-realm authentication |
| US 2004/0059941 A1 | Systems and methods for identifying users and providing access to information in a network environment |
| US 2004/0025020 A1 | Client server system and devices thereof |
| US 2008/0010365 A1 | Methods, products, systems, and devices for processing reusable information |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard G. Keehn whose telephone number is 571-270-5007. The examiner can normally be reached on Monday through Thursday, 9:00am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


RGK

/Yasin M Barqadle/

Primary Examiner, Art Unit 2456